

Panaji, 30th April, 2009 (Vaisakha 10, 1931)

SERIES I No. 5

# OFFICIAL GOVERNMENT OF GOA GAZETTE



## INDEX

Department	Notification	Subject	Pages
1 Law & Judiciary Legal Affairs Division	Nos. 7/9/2009-LA	Land Acquisition (Goa Amendment) Act, 2009.	211
a. Joint Secretary	a. 10/2/2007-LA(Part file)/85	The National Investigation Agency Act, 2008.	212
b. Under Secretary	b. 10-2-2007-LA(Part file)/73	The Appropriation (No. 3) Act, 2008.	219
2 Tourism Director & ex officio Joint Secretary	5/2/D(10)/ARD/2009-DT	Amendment to Goa, Daman and Diu Registration of Tourist Trade Act, 1982.	222

## GOVERNMENT OF GOA

### Department of Law & Judiciary

Legal Affairs Division

#### Notification

7/9/2009-LA

The Land Acquisition (Goa Amendment) Act, 2009 (Goa Act 7 of 2009), which has been passed by the Legislative Assembly of Goa on 24-3-2009 and assented to by the Governor of Goa on 11-4-2009, is hereby published for general information of the public.

*Sharad G. Marathe*, Joint Secretary (Law).

Porvorim, 16th April, 2009.

### The Land Acquisition (Goa Amendment) Act, 2009

(Goa Act 7 of 2009) [11-4-2009]

A N

ACT

*further to amend the Land Acquisition Act, 1894 (Central Act 1 of 1894), as in force in the State of Goa.*

Be it enacted by the Legislative Assembly of Goa in the Sixtieth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Land Acquisition (Goa Amendment) Act, 2009.

(2) It shall be deemed to have come into force with effect from 15-10-1964.

2. *Amendment of Section 41.*— In Section 41 of the Land Acquisition Act, 1894 (Central Act 1 of 1894), as in force in the State of Goa, after clause (5), the following shall be inserted, namely:—

“(6) Notwithstanding anything contained in any judgement, decree or an order of any Court, Tribunal or any other authority, any development done or construction undertaken in pursuance of the agreement entered under this section between the Government and the Company on the basis of the statutory approvals like permissions granted by the Planning and Development Authority, Eco-Development Council, Goa Coastal Zone Management Authority, Municipal Council, Panchayat, including renewals and deviations thereof approved and regularized, and all permissions obtained by the company and all the buildings

constructed by the Company and all the proceedings taken by the competent authorities to issue the license or permission for undertaking construction, shall be deemed to have been validly done and have always been undertaken in accordance with the said agreement.

(7) Notwithstanding anything contained in any judgement, decree, or order of any Court, Tribunal or any other Authority the appropriate Government shall be at liberty to modify the agreement executed under this section between the Government and the Company on mutually agreed terms in furtherance of the purpose for which the land was acquired, by publication of the modified agreement in the Official Gazette, and any such modifications made in the agreement, shall come into force from the date on which the original agreement with the Company was executed under this section and any action taken or things done under the modified agreement, shall, for all purposes, be deemed and to have always been done or taken in accordance with the original agreement.

(8) Notwithstanding anything contained in any judgment, decree or order of any Court, Tribunal or any other authority, if, in any agreement entered into between the Government and the Company, there be any clause prohibiting the Company to construct any building or structure in the acquired land, such clause shall deemed to have been deleted with retrospective effect from 15-10-1964.

(9) No suit or other proceeding shall be instituted, maintained or continued in any Court or before any Tribunal or other authority for cancellation of such permission or for demolition of buildings which were constructed after obtaining the permissions from the Statutory Authorities and have been validated under this section, or for questioning the validity of any action taken or things done or permission granted in pursuance of the original agreement as modified and no Court shall enforce or recognize any decree, judgement or order declaring any such action taken or things done under the original agreement as modified, as invalid or unlawful."

**3 Repeal and saving.**—(1) The Land Acquisition (Goa Amendment) Ordinance, 2009 (Ordinance No. 2 of 2009) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter

referred to as the "Principal Act") as amendment by the Ordinance, namely, Land Acquisition (Goa Amendment) Ordinance, 2009 (Ordinance No. 2 of 2009), shall be deemed to have been done or taken under the principal Act as amended by this Act.

Secretariat,  
Porvorim-Goa.  
Dated: 16-4-2009.

V. P. SHETYE  
Secretary to the Government of Goa  
Law Department (Legal Affairs).

### Notification

10/2/2007-LA (Part file)/85

The National Investigation Agency Act, 2008 (Central Act No. 34 of 2008), which has been passed by Parliament and assented to by the President of India on 31-12-2008 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 31-12-2008, is hereby published for general information of the public.

*Julio Barbosa Noronha*, Under Secretary (Law).

Porvorim, 6th March, 2009.

## THE NATIONAL INVESTIGATION AGENCY ACT, 2008

Arrangement of Sections

### CHAPTER I

#### Preliminary

#### Sections

- 1 Short title, extent and application.
- 2 Definitions.

### CHAPTER II

#### National Investigation Agency

- 3 Constitution of National Investigation Agency.
- 4 Superintendence of National Investigation Agency.
- 5 Manner of constitution of Agency and conditions of service of members.

**Sections**

## CHAPTER III

**Investigation by the National Investigation Agency**

- 6 Investigation of Scheduled Offences.
- 7 Power to transfer investigation to State Government.
- 8 Power to investigate connected offences.
- 9 State Government to extend assistance to National Investigation Agency.
10. Power of State Government to investigate Scheduled Offences.

## CHAPTER IV

**Special Courts**

11. Power of Central Government to constitute Special Courts.
12. Place of sitting.
13. Jurisdiction of Special Courts.
14. Powers of Special Courts with respect to other offences.
15. Public Prosecutors.
16. Procedure and powers of Special Courts.
17. Protection of witnesses.
18. Sanction for prosecution.
19. Trial by Special Court to have precedence.
20. Power to transfer cases to regular courts.
21. Appeals.
22. Power of State Government to constitute Special Courts.

## CHAPTER V

**Miscellaneous**

23. Power of High Courts to make rules.
24. Power to remove difficulties.
25. Power to make rules.
26. Laying of rules.

## THE SCHEDULE

**THE NATIONAL INVESTIGATION AGENCY ACT, 2008**

A N

A C T

*to constitute an investigation agency at the national level to investigate and prosecute offences affecting the sovereignty, security and integrity of India, security of State, friendly relations with foreign States and offences under Acts enacted to implement international treaties, agreements, con-*

*ventions and resolutions of the United Nations, its agencies and other international organisations and for matters connected therewith or incidental thereto.*

Be it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

## CHAPTER I

**Preliminary**

1 *Short title, extent and application.*— (1) This Act may be called the National Investigation Agency Act, 2008.

(2) It extends to the whole of India and it applies also—

(a) to citizens of India outside India;

(b) to persons in the service of the Government wherever they may be; and

(c) to persons on ships and aircrafts registered in India wherever they may be.

2 *Definitions.*— (1) In this Act, unless the context otherwise requires,—

(a) "Agency" means the National Investigation Agency constituted under section 3;

(b) "Code" means the Code of Criminal Procedure 1973;

(c) "High Court" means the High Court within whose jurisdiction the Special Court is situated;

(d) "Prescribed" means prescribed by rules;

(e) "Public Prosecutor" means a Public Prosecutor or an Additional Public Prosecutor or a Special Public Prosecutor appointed under section 15;

(f) "Schedule" means the Schedule to this Act;

(g) "Scheduled Offence" means an offence specified in the Schedule;

(h) "Special Court" means a Special Court constituted under section 11 or, as the case may be, under section 22;

(i) "words and expressions used but not defined in this Act and defined in the Code shall have the meanings respectively assigned to them in the Code.

(2) Any reference in this Act to any enactment or any provision thereof shall, in relation to an area in which such enactment or such provision is not in force, be construed as a reference to the corresponding law or the relevant provision of the corresponding law, if any, in force in that area.

## CHAPTER II

### National Investigation Agency

**3. Constitution of National Investigation Agency.**— (1) Notwithstanding anything in the Police Act, 1861, the Central Government may <sup>5 of 1861.</sup> constitute a special agency to be called the National Investigation Agency for investigation and prosecution of offences under the Acts specified in the Schedule.

(2) Subject to any orders which the Central Government may make in this behalf, officers of the Agency shall have throughout India in relation to the investigation of Scheduled Offences and arrest of persons concerned in such offences, all the powers, duties, privileges and liabilities which police officers have in connection with the investigation of offences committed therein.

(3) Any officer of the Agency of, or above, the rank of Sub-Inspector may, subject to any orders which the Central Government may make in this behalf, exercise throughout India, any of the powers of the officer-in-charge of a police station in the area in which he is present for the time being and when so exercising such powers shall, subject to any such orders as aforesaid, be deemed to be an officer-in-charge of a police station discharging the functions of such an officer within the limits of his station.

**4. Superintendence of National Investigation Agency.**— (1) The superintendence of the Agency shall vest in the Central Government.

(2) The administration of the Agency shall vest in an officer designated as the Director General appointed in this behalf by the Central

Government who shall exercise in respect of the Agency such of the powers exercisable by a Director-General of Police in respect of the police force in a State, as the Central Government may specify in this behalf.

**5. Manner of constitution of Agency and conditions of service of members.**— Subject to the provisions of this Act, the Agency shall be constituted in such manner as may be prescribed and the conditions of service of persons employed in the Agency shall be such as may be prescribed.

## CHAPTER III

### Investigation by the National Investigation Agency

**6. Investigation of Scheduled Offences.**— (1) On receipt of information and recording thereof under section 154 of the Code relating to any Scheduled Offence the officer-in-charge of the police station shall forward the report to the State Government forthwith.

(2) On receipt of the report under sub-section (1), the State Government shall forward the report to the Central Government as expeditiously as possible.

(3) On receipt of report from the State Government, the Central Government shall determine on the basis of information made available by the State Government or received from other sources, within fifteen days from the date of receipt of the report, whether the offence is a Scheduled Offence or not and also whether, having regard to the gravity of the offence and other relevant factors, it is a fit case to be investigated by the Agency.

(4) Where the Central Government is of the opinion that the offence is a Scheduled Offence and it is a fit case to be investigated by the Agency, it shall direct the Agency to investigate the said offence.

(5) Notwithstanding anything contained in this section, if the Central Government is of the opinion that a Scheduled Offence has been committed which is required to be investigated under this Act, it may, *suo motu*, direct the Agency to investigate the said offence.

(6) Where any direction has been given under sub-section (4) or sub-section (5), the

State Government and any police officer of the State Government investigating the offence shall not proceed with the investigation and shall forthwith transmit the relevant documents and records to the Agency.

(7) For the removal of doubts, it is hereby declared that till the Agency takes up the investigation of the case, it shall be the duty of the officer-in-charge of the police station to continue the investigation.

**7. Power to transfer investigation to State Government.**— While investigating any offence under this Act, the Agency, having regard to the gravity of the offence and other relevant factors, may—

(a) if it is expedient to do so, request the State Government to associate itself with the investigation; or

(b) with the previous approval of the Central Government, transfer the case to the State Government for investigation and trial of the offence.

**8. Power to investigate connected offences.**— While investigating any Scheduled Offence, the Agency may also investigate any other offence which the accused is alleged to have committed if the offence is connected with the Scheduled Offence.

**9. State Government to extend assistance to National Investigation Agency.**— The State Government shall extend all assistance and co-operation to the Agency for investigation of the Scheduled Offences.

**10. Power of State Government to investigate Scheduled Offences.**— Save as otherwise provided in this Act, nothing contained in this Act shall affect the powers of the State Government to investigate and prosecute any Scheduled Offence or other offences under any law for the time being in force.

#### CHAPTER IV

#### Special Courts

**11. Power of Central Government to constitute Special Courts.**— (1) The Central Government shall, by notification in the Official

Gazette, for the trial of Scheduled Offences, constitute one or more Special Courts for such area or areas, or for such case or class or group of cases, as may be specified in the notification.

(2) Where any question arises as to the jurisdiction of any Special Court, it shall be referred to the Central Government whose decision in the matter shall be final.

(3) A Special Court shall be presided over by a judge to be appointed by the Central Government on the recommendation of the Chief Justice of the High Court

(4) The Agency may make an application to the Chief Justice of the High Court for appointment of a Judge to preside over the Special Court

(5) On receipt of an application under subsection (4), the Chief Justice shall, as soon as possible and not later than seven days, recommend the name of a judge for being appointed to preside over the Special Court

(6) The Central Government may, if required, appoint an additional judge or additional judges to the Special Court, on the recommendation of the Chief Justice of the High Court

(7) A person shall not be qualified for appointment as a judge or an additional judge of a Special Court unless he is, immediately before such appointment, a Sessions Judge or an Additional Sessions Judge in any State.

(8) For the removal of doubts, it is hereby provided that the attainment, by a person appointed as a judge or an additional judge of a Special Court, of the age of superannuation under the rules applicable to him in the service to which he belongs shall not affect his continuance as such judge or additional judge and the Central Government may by order direct that he shall continue as judge until a specified date or until completion of the trial of the case or cases before him as may be specified in that order.

(9) Where any additional judge or additional judges is or are appointed in a Special Court, the judge of the Special Court may, from time to time, by general or special order, in writing, provide for the distribution of business of the

Special Court among all judges including himself and the additional judge or additional judges and also for the disposal of urgent business in the event of his absence or the absence of any additional judge.

12. *Place of sitting*.— A Special Court may, on its own motion, or on an application made by the Public Prosecutor and if it considers it expedient or desirable so to do, sit for any of its proceedings at any place other than its ordinary place of sitting.

13. *Jurisdiction of Special Courts*.— (1) Notwithstanding anything contained in the Code, every Scheduled Offence investigated by the Agency shall be tried only by the Special Court within whose local jurisdiction it was committed.

(2) If, having regard to the exigencies of the situation prevailing in a State if,—

(a) it is not possible to have a fair, impartial or speedy trial; or

(b) it is not feasible to have the trial without occasioning the breach of peace or grave risk to the safety of the accused, the witnesses, the Public Prosecutor or a judge of the Special Court or any of them; or

(c) it is not otherwise in the interests of justice,

the Supreme Court may transfer any case pending before a Special Court to any other Special Court within that State or in any other State and the High Court may transfer any case pending before a Special Court situated in that State to any other Special Court within the State.

(3) The Supreme Court or the High Court, as the case may be, may act under this section either on the application of the Central Government or a party interested and any such application shall be made by motion, which shall, except when the applicant is the Attorney-General for India, be supported by an affidavit or affirmation.

14. *Powers of Special Courts with respect to other offences*.— (1) When trying any offence, a Special Court may also try any other offence

with which the accused may, under the Code be charged, at the same trial if the offence is connected with such other offence.

(2) If, in the course of any trial under this Act of any offence, it is found that the accused person has committed any other offence under this Act or under any other law, the Special Court may convict such person of such other offence and pass any sentence or award punishment authorised by this Act or, as the case may be, under such other law.

15. *Public Prosecutors*.— (1) The Central Government shall appoint a person to be the Public Prosecutor and may appoint one or more persons to be the Additional Public Prosecutor or Additional Public Prosecutors:

Provided that the Central Government may also appoint for any case or class or group of cases a Special Public Prosecutor.

(2) A person shall not be qualified to be appointed as a Public Prosecutor or an Additional Public Prosecutor or a Special Public Prosecutor under this section unless he has been in practice as an Advocate for not less than seven years or has held any post, for a period of not less than seven years, under the Union or a State, requiring special knowledge of law.

(3) Every person appointed as a Public Prosecutor or an Additional Public Prosecutor or a Special Public Prosecutor under this section shall be deemed to be a Public Prosecutor within the meaning of clause (u) of section 2 of the Code, and the provisions of the Code shall have effect accordingly.

16. *Procedure and powers of Special Courts*.—

(1) A Special Court may take cognizance of any offence, without the accused being committed to it for trial, upon receiving a complaint of facts that constitute such offence or upon a police report of such facts.

(2) Where an offence triable by a Special Court is punishable with imprisonment for a term not exceeding three years or with fine or with both, the Special Court may, notwithstanding anything contained in sub-section (1) of section 260 or section 262 of the Code, try the offence in a summary way in

accordance with the procedure prescribed in the Code and the provisions of sections 263 to 265 of the Code shall, so far as may be, apply to such trial:

Provided that when, in the course of a summary trial under this sub-section, it appears to the Special Court that the nature of the case is such that it is not desirable to try it in a summary way, the Special Court shall recall any witnesses who may have been examined and proceed to re-hear the case in the manner provided by the provisions of the Code for the trial of such offence and the said provisions shall apply to, and in relation to, a Special Court as they apply to and in relation to a Magistrate:

Provided further that in the case of any conviction in a summary trial under this section, it shall be lawful for a Special Court to pass a sentence of imprisonment for a term not exceeding one year and with fine which may extend to five lakh rupees.

(3) Subject to the other provisions of this Act, a Special Court shall, for the purpose of trial of any offence, have all the powers of a Court of Session and shall try such offence as if it were a Court of Session so far as may be in accordance with the procedure prescribed in the Code for the trial before a Court of Session.

(4) Subject to the other provisions of this Act, every case transferred to a Special Court under sub-section (2) of section 13 shall be dealt with as if such case had been transferred under section 406 of the Code to such Special Court

(5) Notwithstanding anything contained in the Code, but subject to the provisions of section 299 of the Code, a Special Court may, if it thinks fit and for reasons to be recorded by it, proceed with the trial in the absence of the accused or his pleader and record the evidence of any witness, subject to the right of the accused to recall the witness for cross-examination.

**17. Protection of witnesses.**— (1) Notwithstanding anything contained in the Code, the proceedings under this Act may, for reasons to be recorded in writing, be held *in camera* if the Special Court so desires.

(2) On an application made by a witness in any proceeding before it or by the Public

Prosecutor in relation to such witness or on its own motion, if the Special Court is satisfied that the life of such witness is in danger, it may, for reasons to be recorded in writing, take such measures as it deems fit for keeping the identity and address of such witness secret.

(3) In particular, and without prejudice to the generality of the provisions of sub-section (2), the measures which a Special Court may take under that sub-section may include—

(a) the holding of the proceedings at a place to be decided by the Special Court

(b) the avoiding of the mention of the names and addresses of the witnesses in its orders or judgements or in any records of the case accessible to public;

(c) the issuing of any directions for securing that the identity and address of the witnesses are not disclosed; and

(d) a decision that it is in the public interest to order that all or any of the proceedings pending before such a Court shall not be published in any manner.

(4) Any person who contravenes any decision or direction issued under sub-section (3) shall be punishable with imprisonment for a term which may extend to three years and with fine which may extend to one thousand rupees.

**18. Sanction for prosecution.**— No prosecution, suit or other legal proceedings shall be instituted in any court of law, except with the previous sanction of the Central Government, against any member of the Agency or any person acting on his behalf in respect of anything done or purported to be done in exercise of the powers conferred by this Act.

**19. Trial by Special Court to have precedence.**— The trial under this Act of any offence by a Special Court shall be held on day-to-day basis on all working days and have precedence over the trial of any other case against the accused in any other court (not being a Special Court) and shall be concluded in preference to the trial of such other case and accordingly the trial of such other case shall, if necessary, remain in abeyance.

**20. Power to transfer cases to regular courts.**— Where, after taking cognizance of any offence, a Special Court is of the opinion that the offence is not triable by it, shall, notwithstanding that it has no jurisdiction to try such offence, transfer the case for the trial of such offence to any court having jurisdiction under the Code and the Court to which the case is transferred may proceed with the trial of the offence as if it had taken cognizance of the offence.

**21. Appeals.**— (1) Notwithstanding anything contained in the Code, an appeal shall lie from any judgement, sentence or order, not being an interlocutory order, of a Special Court to the High Court both on facts and on law.

(2) Every appeal under sub-section (1) shall be heard by a bench of two Judges of the High Court and shall, as far as possible, be disposed of within a period of three months from the date of admission of the appeal.

(3) Except as aforesaid, no appeal or revision shall lie to any court from any judgement, sentence or order including an interlocutory order of a Special Court

(4) Notwithstanding anything contained in sub-section (3) of section 378 of the Code, an appeal shall lie to the High Court against an order of the Special Court granting or refusing bail.

(5) Every appeal under this section shall be preferred within a period of thirty days from the date of the judgement, sentence or order appealed from:

Provided that the High Court may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the period of thirty days:

Provided further that no appeal shall be entertained after the expiry of period of ninety days.

**22. Power of State Government to constitute Special Courts.**— (1) The State Government may constitute one or more Special Courts for the trial of offences under any or all the enactments specified in the Schedule.

(2) The provisions of this Chapter shall apply to the Special Courts constituted by the State Government under sub-section (1) and shall have effect subject to the following modifications, namely—

(i) references to "Central Government" in sections 11 and 15 shall be construed as references to State Government;

(ii) reference to "Agency" in sub-section (1) of section 13 shall be construed as a reference to the "investigation agency of the State Government";

(iii) reference to "Attorney-General for India" in sub-section (3) of section 13 shall be construed as reference to "Advocate-General of the State".

(3) The jurisdiction conferred by this Act on a Special Court shall, until a Special Court is constituted by the State Government under sub-section (1) in the case of any offence punishable under this Act, notwithstanding anything contained in the Code, be exercised by the Court of Session of the division in which such offence has been committed and it shall have all the powers and follow the procedure provided under this Chapter.

(4) On and from the date when the Special Court is constituted by the State Government the trial of any offence investigated by the State Government under the provisions of this Act, which would have been required to be held before the Special Court, shall stand transferred to that Court on the date on which it is constituted.

## CHAPTER V

### Miscellaneous

**23. Power of High Courts to make rules.**— The High Court may, by notification in the Official Gazette, make such rules, as it may deem necessary for carrying out the provisions of this Act relating to Special Courts within its territory.

**24. Power to remove difficulties.**— (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette make



such provisions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for removing the difficulty:

Provided that no order shall be made, under this section after the expiration of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

**25. Power to make rules.**— (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality to the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the manner of constitution of the Agency and the conditions of service of persons employed in the Agency under section 5;

(b) any other matter which is required to be, or may be, prescribed.

**26. Laying of rules.**— Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

#### THE SCHEDULE

[See section 2(1)(f)]

1. The Atomic Energy Act, 1962 (33 of 1962);

2. The Unlawful Activities (Prevention) Act, 1967 (37 of 1967);

3. The Anti-Hijacking Act, 1982 (65 of 1982);

4. The Suppression of Unlawful Acts against Safety of Civil Aviation Act, 1982 (66 of 1982);

5. The SAARC Convention (Suppression of Terrorism) Act, 1993 (36 of 1993);

6. The Suppression of Unlawful Acts Against Safety of Maritime Navigation and Fixed Platforms on Continental Shelf Act, 2002 (69 of 2002);

7. The Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005 (21 of 2005);

8. Offences under—

(a) Chapter VI of the Indian Penal Code (45 of 1860) [sections 121 to 130 (both inclusive)];

(b) Sections 489-A to 489-E (both inclusive) of the Indian Penal Code (45 of 1860).

#### Notification

10-2-2007-LA(Part file)/73

The Appropriation (No.3) Act, 2008 (Central Act No. 20 of 2008), which has been passed by Parliament and assented to by the President of India on 31-10-2008 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 31-10-2008, is hereby published for general information of the public.

*Julio Barbosa Noronha*, Under Secretary (Law).

Porvorim, 6th March, 2009.

#### THE APPROPRIATION (No. 3) ACT, 2008

A N

ACT

*to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2008-09.*

BE it enacted by parliament in the Fifty-ninth Year of the Republic of India as follows:—

1. **Short title.**— This Act may be called the Appropriation (No. 3) Act, 2008.

2. **Issue of Rs. 237285,84,00,000 out of the Consolidated Fund of India for the Financial year 2008-09.**— From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of two lakh thirty-seven thousand two hundred eighty-five crore and eighty-four lakh rupees only

towards defraying the several charges which will come in course of payment during the financial year 2008-09 in respect of the services specified in column 2 of the Schedule.

3. **Appropriation.**— The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

## THE SCHEDULE

(See sections 2 and 3)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Department of Agriculture and Co-operation .....Revenue	280,39,00,000	.	280,39,00,000
	Capital	65,68,00,000	...	65,68,00,000
2	Department of Agricultural Research and Education...Revenue	213,44,00,000	...	213,44,00,000
3	Department of Animal Husbandry, Dairying and Fisheries .....Revenue	24,66,00,000	43,00,000	25,09,00,000
	Capital	1,00,000	.	1,00,000
4	Atomic Energy .....Revenue	609,12,00,000	...	609,12,00,000
	Capital	37,39,00,000	...	37,39,00,000
5	Nuclear Power Stations .....Revenue	6,23,00,000	.	6,23,00,000
6	Department of Chemicals and Petrochemicals.....Revenue	7,11,00,000	.	7,11,00,000
7	Department of Fertilisers .....Revenue	52865,56,00,000	...	52865,56,00,000
8	Ministry of Civil Aviation .....Revenue	10,14,00,000	.	10,14,00,000
9	Ministry of Coal .....Revenue	2,58,00,000	.	2,58,00,000
10	Department of Commerce .....Revenue	360,66,00,000	1,00,000	360,67,00,000
	Capital	1,00,000	.	1,00,000
11	Department of Industrial Policy and Promotion .....Revenue	27,89,00,000	.	27,89,00,000
12	Department of Posts .....Revenue	1945,25,00,000	.	1945,25,00,000
13	Department of Telecommunications .....Revenue	-	7,00,000	7,00,000
14	Department of Information Technology .....Revenue	100,00,00,000	.	100,00,00,000
15	Department of Consumer Affairs .....Revenue	8,66,00,000	.	8,66,00,000
16	Department of Food and Public Distribution .....Revenue	5109,45,00,000	1,64,00,000	5111,09,00,000
17	Ministry of Corporate Affairs .....Revenue	14,48,00,000	.	14,48,00,000
	Capital	30,00,00,000	.	30,00,00,000
18	Ministry of Culture .....Revenue	98,89,00,000	.	98,89,00,000
19	Ministry of Defence .....Revenue	354,39,00,000	...	354,39,00,000
	Capital	9,81,00,000	...	9,81,00,000
20	Defence Pensions .....Revenue	1941,00,00,000	...	1941,00,00,000
21	Defence Services – Army .....Revenue	6303,26,00,000	...	6303,26,00,000
22	Defence Services – Navy .....Revenue	688,88,00,000	...	688,88,00,000
23	Defence Services – Air Force .....Revenue	1120,79,00,000	...	1120,79,00,000
24	Defence Ordnance Factories .....Revenue	100,00,00,000	...	100,00,00,000
25	Defence Services – Research and Development.....Revenue	259,65,00,000	...	259,65,00,000
27	Ministry of Development of North-Eastern Region..Revenue	1,90,00,000	.	1,90,00,000

		Rs.	Rs.	Rs.	
28	Ministry of Earth Sciences .....	Revenue	49,76,00,000	...	49,76,00,000
		Capital	1,00,000	..	1,00,000
29	Ministry of Environment and Forests .....	Revenue	27,03,00,000	..	27,03,00,000
		Capital	70,00,000	..	70,00,000
30	Ministry of External Affairs .....	Revenue	778,11,00,000	..	778,11,00,000
31	Department of Economic Affairs .....	Revenue	204,43,00,000	..	204,43,00,000
		Capital	1000,60,00,000	..	1000,60,00,000
32	Payments to Financial Institutions .....	Revenue	40668,40,00,000	..	40668,40,00,000
		Capital	4996,23,00,000	.	4996,23,00,000
33	Department of Financial Services .....	Revenue	9,00,00,000	..	9,00,00,000
35	Transfers to State and Union territory Governments .....	Revenue	3240,66,00,000	...	3240,66,00,000
		Capital	.	2000,00,00,000	2000,00,00,000
	CHARGED.— Repayment of Debt .....	Capital	.	8622,63,00,000	8622,63,00,000
38	Department of Expenditure .....	Revenue	7,18,00,000	.	7,18,00,000
39	Pesios .....	Revenue	2050,00,00,000	.	2050,00,00,000
40	Indian Audit and Accounts Department .....	Revenue	344,97,00,000	6,58,00,000	351,55,00,000
41	Department of Revenue .....	Revenue	40,49,00,000	...	40,49,00,000
42	Direct Taxes .....	Revenue	303,55,00,000	.	303,55,00,000
43	Indirect Taxes .....	Revenue	373,29,00,000	.	373,29,00,000
44	Department of Disinvestment .....	Revenue	57,00,000	.	57,00,000
		Capital	1,00,000	.	1,00,000
45	Ministry of Food Processing Industries .....	Revenue	2,10,00,000	.	2,10,00,000
46	Department of Health and Family Welfare .....	Revenue	378,30,00,000	.	378,30,00,000
		Capital	1,00,000	.	1,00,000
47	Department of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy (AYUSH) .....	Revenue	35,60,00,000	.	35,60,00,000
48	Department of Health Research .....	Revenue	7,00,000	.	7,00,000
49	Department of Heavy Industry .....	Revenue	813,99,00,000	.	813,99,00,000
		Capital	1,00,000	.	1,00,000
50	Department of Public Enterprises .....	Revenue	79,00,000	.	79,00,000
51	Ministry of Home Affairs .....	Revenue	255,36,00,000	10,00,000	255,46,00,000
52	Chief Minister .....	Revenue	41,78,00,000	.	41,78,00,000
53	Police .....	Revenue	5065,79,00,000	4,00,000	5065,83,00,000
		Capital	2,00,000	80,00,000	82,00,000
54	Other Expenditure of the Ministry of Home Affairs .....	Revenue	84,35,00,000	...	84,35,00,000
55	Transfers to Union territory Governments .....	Revenue	165,00,00,000	.	165,00,00,000
56	Ministry of Housing and Urban Poverty Alleviation .....	Revenue	2,17,00,000	.	2,17,00,000
57	Department of School Education and Literacy .....	Revenue	282,35,00,000	.	282,35,00,000
		Capital	761,54,00,000	.	761,54,00,000
58	Department of Higher Education .....	Revenue	554,68,00,000	.	554,68,00,000
59	Ministry of Information and Broadcasting .....	Revenue	238,19,00,000	.	238,19,00,000
60	Ministry of Labour and Employment .....	Revenue	117,35,00,000	...	117,35,00,000
		Capital	625,00,00,000	.	625,00,00,000
61	Election Commission .....	Revenue	1,87,00,000	.	1,87,00,000
62	Law & Justice .....	Revenue	208,28,00,000	.	208,28,00,000
	CHARGED.— Supreme Court of India .....	Revenue	.	12,41,00,000	12,41,00,000
64	Ministry of Micro, Small and Medium Enterprises .....	Revenue	53,63,00,000	.	53,63,00,000
65	Ministry of Mines .....	Revenue	77,02,00,000	.	77,02,00,000
66	Ministry of Minority Affairs .....	Revenue	1,72,00,000	.	1,72,00,000
67	Ministry of New and Renewable Energy .....	Revenue	3,55,00,000	.	3,55,00,000
68	Ministry of Overseas Indian Affairs .....	Revenue	1,38,00,000	.	1,38,00,000
69	Ministry of Panchayati Raj .....	Revenue	74,00,000	.	74,00,000
70	Ministry of Parliamentary Affairs .....	Revenue	92,00,000	.	92,00,000
71	Ministry of Personnel, Public Grievances and Pensions .....	Revenue	142,55,00,000	4,45,00,000	147,00,00,000
72	Ministry of Petroleum and Natural Gas .....	Revenue	65944,54,00,000	.	65944,54,00,000
73	Ministry of Planning .....	Revenue	10,83,00,000	.	10,83,00,000
74	Ministry of Power .....	Revenue	29,79,00,000	.	29,79,00,000

	Rs.	Rs.	Rs.
CHARGED. – <i>Staff, Household and Allowances of the President</i> .....	Revenue	3,08,00,000	3,08,00,000
76 Lok Sabha .....	Revenue	24,89,00,000	24,89,00,000
77 Rajya Sabha .....	Revenue	10,28,00,000	10,28,00,000
CHARGED. – <i>Union Public Service Commission</i> .....	Revenue	11,54,00,000	11,54,00,000
79 Secretariat of the Vice-President .....	Revenue	30,00,000	30,00,000
80 Department of Rural Development .....	Revenue	21360,57,00,000	21360,57,00,000
81 Department of Land Resources .....	Revenue	79,00,000	79,00,000
82 Department of Drinking Water Supply .....	Revenue	100,42,00,000	100,42,00,000
83 Department of Science and Technology .....	Revenue	118,15,00,000	118,15,00,000
84 Department of Scientific and Industrial Research .....	Revenue	207,09,00,000	207,09,00,000
85 Department of Biotechnology .....	Revenue	12,32,00,000	12,32,00,000
86 Department of Shipping .....	Revenue	17,20,00,000	17,20,00,000
Capital .....		1,30,00,000	1,30,00,000
87 Department of Road Transport and Highways .....	Revenue	13,22,00,000	13,22,00,000
88 Ministry of Social Justice and Empowerment .....	Revenue	12,72,00,000	12,72,00,000
89 Department of Space .....	Revenue	220,95,00,000	220,95,00,000
Capital .....		5,00,00,000	5,00,00,000
90 Ministry of Statistics and Programme Implementation .....	Revenue	56,89,00,000	56,89,00,000
91 Ministry of Steel .....	Revenue	2,88,00,000	2,88,00,000
92 Ministry of Textiles .....	Revenue	245,05,00,000	245,05,00,000
Capital .....		1,00,000	1,00,000
93 Ministry of Tourism .....	Revenue	5,70,00,000	5,70,00,000
94 Ministry of Tribal Affairs .....	Revenue	4,27,00,000	4,27,00,000
95 Andaman and Nicobar Islands .....	Revenue	116,14,00,000	116,14,00,000
Capital .....		205,00,00,000	205,00,00,000
97 Dadra and Nagar Haveli .....	Revenue	14,18,00,000	14,18,00,000
98 Daman and Diu .....	Revenue	12,03,00,000	12,03,00,000
99 Lakshadweep .....	Revenue	17,73,00,000	17,73,00,000
Capital .....		2,00,000	2,00,000
100 Department of Urban Development .....	Revenue	12,09,00,000	12,09,00,000
Capital .....		400,00,00,000	400,00,00,000
101 Public Works .....	Revenue	112,65,00,000	112,65,00,000
102 Stationery and Printing .....	Revenue	40,23,00,000	40,23,00,000
103 Ministry of Water Resources .....	Revenue	112,70,00,000	112,70,00,000
Capital .....		1,61,00,000	1,61,00,000
104 Ministry of Women and Child Development .....	Revenue	13,07,00,000	13,07,00,000
105 Ministry of Youth Affairs and Sports .....	Revenue	551,07,00,000	551,07,00,000
<b>Total</b> .....		226622,06,00,000	10663,78,00,000 237285,84,00,000

— — ◆◆◆ — —

## Department of Tourism

### Notification

5/2/D(10)/ARD/2009-DT

Whereas certain draft rules further to amend the Goa, Daman and Diu Registration of Tourist Trade Rules, 1985, were published as required by sub-section (3) of section 42 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (Act 10 of 1982), in the Official Gazette, Series I No. 32, dated 06th November, 2008, under Notification No. 5/2/D(10)/ARD/2008-DT dated

24-10-2008 of the Department of Tourism, Government of Goa, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of a period of thirty days from the date of publication of the said Notification in the Official Gazette.

And whereas the said Official Gazette was made available to the public on 6th November, 2008;

And whereas no objections or suggestions have been received from the public on the said draft Rules by the Government.

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 42 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (Act 10 of 1982), and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules so as to further amend the Goa, Daman and Diu Registration of Tourist Trade Rules, 1985, as follows, namely:—

1. **Short title and commencement.**— (1) These rules may be called the Goa Registration of Tourist Trade (Amendment) Rules, 2009.

(2) They shall come into force at once.

2. **Amendment of rule 3.**— In rule 3 of the Goa, Daman and Diu Registration of Tourist Trade Rules, 1985 (hereinafter referred to as the "principal Rules"), for sub-rule (1), the following sub-rule shall be substituted, namely:—

"(1) An application for registration by a person intending to carry on the business as a dealer or a hotel-keeper or a travel agent under the Act shall be submitted to the prescribed authority in Form-I, Form-II or Form-III, as the case may be, alongwith a treasury challan under which fees as laid down hereunder have been paid.

Category	Fees
(i) Dealer	: Rs. 500/- per year
(ii) Hotel Keeper	: Rs. 5,000/- per year for 'A' category
	: Rs. 4,000/- per year for 'B' category
	: Rs. 3,000/- per year for 'C' category
	: Rs. 500/- per year for 'D' category

**Explanation.**— The criteria fixed for the categorization of the hotels are contained in Annexure 'A' to these rules.

(iii) **Travel Agents** : Rs. 1,000/- per year for Travel agents conforming to the standards laid down in rule 9.

: Rs. 500/- per year for other Travel agents like excursion agents, tourist guides etc."

3. **Amendment of rule 14.**— In rule 14 of the principal rules, for sub-rule (2), the following sub-rule shall be substituted, namely:—

"(2) An application for registration shall be submitted to the prescribed authority in Form XIV, with a treasury challan under which fees as laid down hereunder are paid. The certificate of registration shall be in Form VI.

(1) Tourist Boat and Launches	: Rs. 200/-
(2) Tourist Taxi	: Rs. 200/-
(3) Tents and Tent equipment dealer	: Rs. 150/-
(4) Camping Agency	: Rs. 150/-
(5) Porter	: Rs. 40/-".

By order and in the name of the Governor of Goa.

**Swapnil M. Naik**, Director of Tourism & ex officio Jt. Secretary.

Panaji, 20th April, 2009.